

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RON GOLAN and DORIT GOLAN, individually
and on behalf of all others similarly situated,

Plaintiffs,

vs.

VERITAS ENTERTAINMENT, LLC, *et al.*,

Defendants.

Case No. 4:14-cv-0069-ERW

Judge E. Richard Webber

DR. JAMES R. LEININGER'S MOTION FOR JUDGMENT AS A MATTER OF LAW

Defendant Dr. James R. Leininger respectfully moves for judgment as a matter of law pursuant to Fed. R. Civ. P. 50(a) because plaintiffs failed to meet their burden to produce evidence from which a reasonable jury could find Dr. Leininger liable as a Courage 2012 corporate officer or through agency theories of liability.

The grounds of this Motion are set forth in Dr. Leininger's Memorandum in support of his Motion for Judgment as a Matter of Law. Dr. Leininger also incorporates. Dr. Leininger also incorporates into this Motion his argument in support of this Motion set forth in the record orally on August 14, 2017.

WHEREFORE, defendant Dr. James R. Leininger respectfully requests that judgment as a matter of law be entered in his favor and against plaintiffs.

Dated: August 14, 2017

Respectfully submitted,

/s/ Justin B. Nemeroff

Ari N. Rothman (#481334DC)

Brian Schwalb (*pro hac vice*)

Danielle E. Sunberg (*pro hac vice*)

Justin B. Nemeroff (*pro hac vice*)

Venable LLP
600 Massachusetts Avenue, NW
Washington, DC 20001
Telephone: (202) 344-4000
Facsimile: (202) 344-8300
anrothman@venable.com
blschwalb@venable.com
desunberg@venable.com
jbnemeroff@venable.com

Nicci J. Warr (#53897)
Stinson Leonard Street LLP
7700 Forsyth Blvd. Suite 1100
St. Louis, MO 63105
Telephone: (314) 259-4521
Fax: (314) 259-4470
clubben@stinson.com

Attorneys for Defendant Dr. James Leininger

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 14th day of August, 2017, electronically filed DR. JAMES R. LEININGER'S MOTION FOR JUDGMENT AS A MATTER OF LAW with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to all counsel of record and other CM/ECF participants.

/s/ Justin B. Nemeroff
Justin B. Nemeroff